

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listing, of claims in the application:

**Listing of Claims:**

1. (Currently Amended): An isolated polynucleotide, comprising:
  - (a) at least one copy of a polynucleotide having the sequence set forth in SEQ ID NO:9;  
or
  - (b) at least one copy of a polynucleotide which is a variant of the polynucleotide set forth in SEQ ID NO:9, wherein the [variant hybridizes to the complement of SEQ ID NO:9 under 5x SSC and 42°C wash conditions and has a plant genetic insulator activity] variant has a polynucleotide sequence of SEQ ID NO:9 except that:
    - (i) nucleotide numbers 1-3 of SEQ ID NO:9 are ACC, respectively;
    - (ii) nucleotide numbers 3-6 of SEQ ID NO:9 are GCG, respectively;
    - (iii) nucleotide number 7 of SEQ ID NO:9 is C;
    - (iv) nucleotide number 8 of SEQ ID NO:9 is G;
    - (v) nucleotide number 9 of SEQ ID NO:9 is C; or
    - (vi) nucleotide number 10 of SEQ ID NO:9 is G.
2. Cancelled.
3. (Previously Presented): A replicable vector comprising the isolated polynucleotide of claim 1.
4. (Previously Presented): The replicable vector of claim 3, wherein the vector is an expression vector.
5. (Previously Presented): The replicable vector of claim 3, wherein the vector is a plant vector.
6. (Previously Presented): A host cell comprising the replicable vector of claim 3.
7. (Previously Presented): The host cell of claim 6, wherein the host cell is a plant cell.

8. (Previously Presented): A transgenic plant comprising the isolated polynucleotide of claim 1.
9. (Previously Presented): The plant of claim 8, wherein the plant is *Arabidopsis* or tobacco.
10. (Previously Presented): A transgenic seed comprising the isolated polynucleotide of claim 1.
11. (Currently Amended): A recombinant polynucleotide, comprising:
  - (a) at least one copy of a polynucleotide having the sequence set forth in SEQ ID NO:9;  
or
  - (b) at least one copy of a polynucleotide which is a variant of the polynucleotide set forth in SEQ ID NO:9, wherein the [said variant hybridizes to the complement of SEQ ID NO:9 under 5x SSC and 42°C wash conditions and has a plant genetic insulator activity] variant has a polynucleotide sequence of SEQ ID NO:9 except that:
    - (i) nucleotide numbers 1-3 of SEQ ID NO:9 are ACC, respectively;
    - (ii) nucleotide numbers 3-6 of SEQ ID NO:9 are GCG, respectively;
    - (iii) nucleotide number 7 of SEQ ID NO:9 is C;
    - (iv) nucleotide number 8 of SEQ ID NO:9 is G;
    - (v) nucleotide number 9 of SEQ ID NO:9 is C; or
    - (vi) nucleotide number 10 of SEQ ID NO:9 is G.

Claims 12-17 (Cancelled).